



ARIZONA EMERGENCY RESPONSE COMMISSION
MEETING SUMMARY MINUTES – October 4, 2022

The Arizona State Emergency Response Commission convened via GoToMeeting (virtually) and in person at 1110 W. Washington St., Phoenix, Az 85007.

VOTING MEMBERS/DESIGNEES PRESENT

Laura Malone (In Person)	AZSERC Executive Director
	AZDEQ (AZ Department of Environmental Quality)
Kathy Hassett (Virtual)	DEMA (AZ Department of Emergency and Military Affairs)
Cheryl Bowen Kennedy (Virtual)	AZDOHS (AZ Department of Homeland Security)
Michael Stidham (Virtual)	
Sgt. Joshua Henson (In Person)	AZDPS (AZ Department of Public Safety)
Cpt. Tom Neve (Virtual)	
Suzette dePersio (Virtual)	AZDA (AZ Department of Agriculture)
Joseph Pinkerman (Virtual)	AZCC (AZ Corporation Commission)
Paul Marsh (In Person)	ASMI (AZ State Mine Inspector)
Eugene Livar (Virtual)	AZDHS (AZ Department of Health Services)
obo Teresa Ehnert	

COMMISSION MEMBERS ABSENT:

AZDFFM (AZ Department of Forestry & Fire Management)
AZDOT (AZ Department of Transportation)
AZICA (AZ Industrial Commission of Arizona)
AFCA (AZ Fire Chiefs Association)

GUESTS

Jeff Cantrell (Virtual)	AGO (Attorney General's Office)
Tim Gablehouse (Virtual)	Presenter - Colorado State Emergency Response Commission

MEMBERS OF THE PUBLIC (IN PERSON)

None

MEMBERS OF THE PUBLIC (Virtual)

Wade Brannon	Pinal County
Tony Badilla	Yuma County
Tammi Jo Wilkins	Cochise County
Sydney (unknown last name)	
Shane Clark	Pima County
Sandra Espinoza	Pima County
Ryan Clark	

Russell Hartley	Yuma County
Rudolfo Perez	
Robert Church	NAU/Coconino County LEPC
Michael Erfert	Yuma County LEPC
Louie Carlos	Yuma County LEPC
Ken Drozd	NOAA
Kate Gillet	NOAA
Josh Yungvirt	Maricopa County
Eugene Simons	
Daniel Duchon	Cochise County
Collin Fanning	Graham County
Brian Davidson	Intertribal Council of Arizona
Bill Jones	USEPA

STAFF PRESENT

Arcangel Barragan (In person)	ADEQ-ERU (AZ Department of Environmental Quality Emergency Response Unit)
Michele Martinez (In person)	ADEQ-ERU (AZ Department of Environmental Quality Emergency Response Unit) - Presenter
Dave Varela (In person)	ADEQ-ERU (AZ Department of Environmental Quality Emergency Response Unit) – Presenter
Camille Nehls (In person)	ADEQ-ERU (AZ Department of Environmental Quality Emergency Response Unit)
Aundrea Romero (Virtual)	ADEQ (AZ Department of Environmental Quality)
Alicia Chacon (In person)	ADEQ (AZ Department of Environmental Quality)

1. A quorum is established. Ms. Laura Malone, Executive Director of the Commission noted a quorum of voting members participating virtually and in person. Eight members present and four absent. Eugene Livar with the AZ Department of Health Services, will serve as alternate on behalf of Commissioner Teresa Ehnert. The commission notes there are two members present from Department of Emergency and Military Affairs and two from the AZ Department of Public Safety, only one member will vote on behalf of each agency.
2. Ms. Malone called the meeting to order at 1:45 p.m.
3. Ms. Malone welcomed members and attendees. Reviewed in person and virtual housekeeping for attendees.

Ms. Malone requested the Commissioners review the minutes for the March 22, 2022 meeting and then called for a motion to accept the minutes

Sgt. Josh Henson offered the motion to accept the minutes, seconded by Paul Marsh.

The motion carried 8/0/4 absent.

Ms. Malone announced Mr. Geoffrey McCormick's (Arizona Cooperation Commission) resignation from the SERC and introduced Mr. Joseph Pinkman, Railroad & Safety Program Manager as the new primary SERC member.

Ms. Malone announced Mr. Chris Pittman (Department of Emergency and Military Affairs) as an additional alternate on the SERC for Director, Allen Clark.

Ms. Malone announced State Mine Inspector, Paul Marsh will serve as the alternate member on the SERC for Tom White.

Ms. Malone advised the commission Item 6 Executive Session would be moved on the agenda to item 10.

4. Sgt. Josh Henson with Department of Public Safety gave a presentation regarding the September 9, 2022, I-10 Hazmat Incident in Cochise County. Discussion was held.
5. Tim Gablehouse with the State of Colorado Emergency Response Commission gave a presentation regarding America's Water Infrastructure Act (AWIA). No discussion.
6. Michele Martinez reviewed the current process ADEQ has regarding receipt of America's Water Infrastructure Act (AWIA) information. Ms. Martinez will not provide emails to the Commissioners, she will provide a summary at the AZSERC meetings. No action taken.
7. Ms. Malone confirmed the High Hazard Flammable Train (HHFT) reports from Union Pacific Railroad (UPR) were disseminated to the appropriate counties on 6/28/2022, 8/3/2022 and 9/2/2022; as well as the Burlington Northern and Santa Fe Railway (BNSF) on 7/5/2022.
8. Action Item 1 result – Ms. Malone informed the Commission AZSERC staff completed the action and provided a link for the Commissioners to review the Emergency Response Plans.

Action Item 2 result – Ms. Malone informed the Commission that AZSERC staff completed the action and sent a link to Commissioner Allen Clark for the AWIA workshop.

Action Item 3 result – Ms. Malone informed the Commission that AZSERC staff completed the action and sent the agenda packets to the Commissioners.

9. Local Emergency Planning Committees LEPCs

- a. LEPC voting membership applications were presented to the Commission for ratification. Laura Malone called for a motion to ratify the membership applications as presented.

Sgt. Josh Henson offered the motion that was seconded by Paul Marsh.

The motion carried 8/0/4 absent.

- b. Michele Martinez presented an overview of those LEPCs who are in or not in compliance with Arizona Revised Statute. Discussion is held, no action taken.

Discussion is held regarding those LEPCs compliance with required biennial exercises. SERC staff gave interim approval to Cochise County for their biennial exercise to June 30, 2023. Dan Duchon was asked to elaborate on why the additional time was necessary.

Ms. Malone called for a motion to ratify the extension given to Cochise County LEPC to complete the biennial exercise not later than June 30, 2023.

Sgt. Josh Henson offered the motion that was seconded by Paul Marsh.

The motion carried 8/0/4 absent.

Ms. Malone highlighted and confirmed with Commissioner Clark that DEMA can provide assistance to LEPCs for planning and exercising their emergency response plans. Bill Jones with USEPA advised FEMA also offers a virtual table top exercise program at training.fema.gov/programs/emivttx.aspx.

- c. Ms. Martinez provided a positive update on the status of the Graham and Greenlee County LEPC Merger. The merger has been successful. The Graham-Greenlee LEPC has been in compliance with the timeline set forth by the Commission.
- d. Dave Varela presented the LEPC Emergency Response Plans that were provided interim approval for 2022.

Ms. Malone called for a motion to ratify the emergency response plans as presented.

Paul Marsh offered the motion that was seconded by Sgt. Josh Henson.

The motion carried 8/0/4 absent.

e. Michele Martinez presented information regarding status of recommendations made by staff to LEPCs regarding the Bylaws. Discussion held, no action taken.

10. Ms. Malone called for a motion to enter into Executive Session pursuant to A.R.S. §38-431.03(A) (2) to receive and discuss legal advice concerning various courses of action for underperforming LEPCs.

Sgt. Josh Henson offered the motion that was seconded by Paul Marsh.

The motion carried 8/0/4 absent.

The Commission adjourned to Executive session at 2:46 p.m. to receive and discuss legal advice concerning various courses of action for underperforming LEPCs.

The Commission reconvened into open session at 3:08 p.m. No action was taken during Executive Session.

Ms. Malone noted a quorum of voting members participating in person and virtually in open session at 3:10 p.m.

11. Michele Martinez provided an update regarding the status of the Hazardous materials Emergency Preparedness (HMEP) grant. The three-year grant period ended on September 30, 2022.

Michele Martinez advised the application for a new three-year Hazardous materials Emergency Preparedness (HMEP) grant was submitted in April 2022. ADEQ received \$451, 419.00 for the first year. Subgrantees will be provided the award letters soon. The performance period begins 10/1/2022 through 9/30/2023.

12. Dave Varela provided an update to the Commission regarding the Emergency Response Fund for FY 2022 and FY 2023. Ms. Malone provided input asking for stories about what would happen if entities did not receive the equipment that Fire Departments need to respond to Hazmat Incidents, she would like to provide a compelling argument for Emergency Response Fund Executive budget request.

13. Michele Martinez provided an update on Tier II Chemical Reporting. Demonstrated the Tier II Chemical Reporting dashboard.

14. Action Item: Verify if ADEQ is putting WET notification information on our website. Ensure we provide a snapshot of these notifications at SERC meetings.

15. Future Agenda items: None

16. Call to the public. Eugene Simons asked about a new Tier II Chemical reporting system. Ms. Malone advised ADEQ is in the evaluation phase and is leaning towards a new system.
17. Proposed date and time of next meeting: Tuesday, May 30, 2023 1:30 p.m. – 3:30 p.m.
18. There being no further business, Ms. Malone called for a motion to adjourn.

Sgt. Josh Henson offered the motion that was seconded by Paul Marsh.

The motion carried 8/0/4 absent.

Meeting adjourned at 3:23 p.m.

Minutes approved on May 30, 2023